

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNION BULK A/S.

1:24-cv-00939

Petitioner,

- against -

TWIN RIVERS CO., INC.,

DEFAULT JUDGMENT
(PROPOSED)

Respondent.

This action having been commenced on February 8, 2024 by the filing of a Petition to Compel Arbitration, and a copy of the Petition to Compel and Summons having been served on the Respondent, Twin Rivers Co. Inc. ("Twin Rivers"), (1) on February 14, 2024 via its registered agent, CT Corporation, with proof of service having been filed (Dkt. No. 7, Affidavit of Service on CT Corporation), and (2) on April 19 and 20, 2024 via its registered agent CT Corporation, and on April 20, 2024, via Twin Rivers' CEO, Joseph "Clay" Crosby, with proof of service having been filed (Dkt. 12, Affidavit of Service on CT Corporation; Dkt. 13, Affidavit of Service on Crosby), and Respondent Twin Rivers having failed to appear, answer, or otherwise move in response to the Petition to Compel as evidenced by the Clerk's Entry of Default (Dkt. No. 16), and at the time for answering the Petition having expired, it is hereby

ORDERED, that the Parties are to proceed to arbitration forthwith and without delay within the Southern District of New York pursuant to Clause 12 of the governing Charter Party entered between the Parties; and it is hereby further

ORDERED, ADJUDGED, and DECREED, that the sole arbitrator for the arbitration proceeding shall be David Martowski. *Petitioner may amend in the event Mr. Martowski is unavailable for any reason.*

614193.1
August 6, 2024

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE